

City Council Agenda

Council President
Brad Castillo

Councilmembers

Tom Boyajian

Brian Calhoun
Mike Dages
City Manager
Daniel G. Hobbs

Jerry Duncan

City Clerk
Rebecca E. Klisch , CMC

Henry T. Perea, Acting President
Cynthia Sterling
City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650

The City Council welcomes you to this meeting.

TUESDAY, JUNE 22, 2004

If you would like to speak, fill out a speaker request form available from the City Clerk's Office and in the Council Chambers. The agenda is available on www.ci.fresno.ca.us. The Council meeting can also be heard live at the same web site address.

8:30 A.M. ROLL CALL

Invocation by Gordon Donohoe of One By One Leadership

Pledge of Allegiance to the Flag

Proclamation of "JEAN CALABRESE DAY" of Fresno High School - Councilmember Boyajian

Presentation of a Resolution of Commendation to Dorothy Belcher, Finance Dept/UB&C

Council action on unscheduled items, if any, shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda. For each matter considered by the Council, there will first be a staff presentation, followed by a presentation from the project applicant. Testimony from those in attendance will then be taken. All testimony given will be limited to three minutes per person.

The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker. The green light will be turned on when the speaker begins. The yellow light will come on with one minute remaining and one tone will sound. The speaker should be completing the testimony by the time the red light comes on and two tones sound, indicating that time has expired.

Approve minutes of June 15 and 16, 2004

Action Taken:

Councilmember Reports and Comments

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

1. **GENERAL CONSENT CALENDAR**

(All Consent Calendar items are considered to be routine and will be treated as one agenda item. The Consent Calendar will be enacted by one motion. Public comment on the Consent Calendar is limited to three (3) minutes per speaker. There will be no separate discussion of these items unless requested by a Councilmember, in which event the item will be removed from the Consent Calendar and will be considered immediately following.

1. A. **RESOLUTION** - Approving the Final Map of Tract No. 4422 and accepting dedicated public uses therein and authorizing the Public Works Director, Public Utilities Director and Planning and Development Director to execute the necessary documents - Planning and Development Dept.
Action Taken:
- B. **RESOLUTION** - Approving the Final Map of Tract No. 5180 and accepting dedicated public uses therein and authorizing the Planning and Development Director to execute the necessary documents - Planning and Development Dept.
Action Taken:
- C. * **RESOLUTION** - 90th amendment to AAR No. 2003-209 appropriating \$747,100 of Federal funding from the National Guard Bureau (NGB) to reimburse the Fresno Yosemite International Airport (FYI) for the construction of a BAK-14 Aircraft Arresting System and Federal Aviation Administration (FAA) Airport Improvement Project Grant (AIP) No. 46 in the amount of \$2,373,700 to complete a portion of the total funding for the rehabilitation of taxiway A and Runway 29 right at FYI ***(Requires 5 affirmative votes)*** - Airports Dept./General Services Dept./Purchasing
Action Taken:
 1. * Award a contract to Granite Construction Company of Watsonville, California for rehabilitation of Runway 11L-29R, rehabilitation of BAK 14 on Runway 29R, and reconstruction of Taxiway A
Action Taken:

1. **GENERAL CONSENT CALENDAR CONTINUED**

- D. * Authorize the Chief Information Officer to enter into a contract with AirPhotoUSA to provide a complete aerial flyover and photo mapping services for the City of Fresno - Information Services Department
Action Taken:
- E. **RESOLUTION** - Authorizing the purchase and installation of wastewater flow monitoring equipment without advertised competitive bidding and approve an amendment to the agreement with ADS Environmental Services for sewer flow monitoring equipment maintenance/repair services - Dept. of Public Utilities
Action Taken:
- F. Approve a one-year extension of the agreements with the passenger airlines serving Fresno Yosemite International Airport - Airports Dept.
Action Taken:
- G. Authorize the Public Works Director to negotiate and execute a contract with Hanover Compression L. P. of Broken Arrow, Oklahoma, to design, build and maintain a Compressed Natural Gas Fueling Facility - General Services Dept./Public Works Dept.
Action Taken:
- H. * Award a contract to American Paving Company of Fresno California for street improvements for Fresno Street between "Q" and "S" Streets - General Services Dept./Public Works Dept.
Action Taken:
- I. * Award a requirements contract to J.F. Pacific Liners, Inc. of Vacaville, California for magnesium hydroxide sewer crown spray treatment - General Services Dept./Dept. Of Public Utilities
Action Taken:
- J. * Award a requirements contract to Enterprise Rideshare of San Leandro, California for leasing of van pool vehicles - General Services Dept./Fresno Area Express
Action Taken:
- K. * Award a contract to TNT Industrial Contractors, Inc. of Sacramento, California for construction of Lift Station No. 6 improvements at Champlain Drive east of Perrin Avenue - General Services Dept./Public Works Dept.
Action Taken:
- L. * Award a contract to Emmett's Excavation Inc. of Clovis, California, for Basin "T" Expansion - General Services Dept./Public Works Dept.
Action Taken:
- M. Approve termination of lease between Executive Wings, Inc., and Fresno Yosemite International Airport - Airports Dept.
Action Taken:
- N. Approve substitution of subcontractor for the Air Cargo Park - Airside Development, AIP Project No. AC00100 - Public Works Dept.
Action Taken:

1. **GENERAL CONSENT CALENDAR CONTINUED**

- O. Approve acquisition of a street easement from Rancho Rivington, LP, for the widening of Herndon Avenue, between Polk and Weber - Public Works Dept.
Action Taken:
- P. **RESOLUTION** - Dedicating certain City-owned property for public walkway purposes and public landscape purposes, property located on the northeasterly side of Airways Blvd. between Peach and Clovis Avenues and southwesterly of the Gap Pacific Distribution Center site - Public Works Dept.
Action Taken:
- Q. * **RESOLUTION** - Authorizing an amendment to the existing Airport Passenger Facility Charge (PFC) (PFC No. 97-02-01) at Fresno Yosemite International Airport - Airports Dept.
Action Taken:
- R. * Award an interim contract to BSK Analytical Laboratories of Fresno Sections, I, II, III and VI and Twining Laboratories of Fresno Sections IV and V for water quality testing services - General Services Dept./Dept. of Public Utilities
Action Taken:
- S. * Award an interim contract to S & A Farms, Central Valley Mortgage and Sequoia Western Construction for request for proposals for qualification of contractors for weed abatement and/or public nuisance abatement - General Services Dept./Planning and Development Dept.
Action Taken:
- T. * Approve Professional Services Agreement with Brown and Caldwell for preparation of a feasibility study of a City-owned and operated Regional Co-Composting Facility located at or near the Fresno/Clovis Regional Wastewater Reclamation Facility (RWRF) - Dept. of Public Utilities
Action Taken:

CONTESTED CONSENT ITEMS

SCHEDULED COUNCIL HEARINGS AND MATTERS

- 9:00 A.M. Direct staff to allow the private sector to competitively bid on the "No Neighborhood Left Behind" construction program and present to the City Council an appropriate analysis and recommendation. Analysis to include a fair, equitable and comparative bid process with the City's actual and full cost along with all financing costs incurred if debt financing is used. City's cost will include building and equipment purchases, hiring costs for the 54 new employees and all other identifiable costs associated with this program - Councilmember Duncan
Action Taken:

SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED

9:30 A.M. Action on the FY 2004-2005 Budget and related items - (Public testimony/hearing closed on 6/16/2004)

1. List of FY 2004-2005 motions for consideration and action
2. * **RESOLUTION** - Adopting FY 2004-2005 City of Fresno budget, including the Community Development Block Grant (CDBG) budget, and including the Annual Appropriation Resolution (AAR)
3. * **RESOLUTION** - Adopting the FY 2004-2005 Position Authorization Resolution (PAR)
4. * **RESOLUTION** - Adopting the 415th amendment to the Master Fee Schedule (MFS) Resolution No. 80-420 (annual amendment)
5. * **BILL** - (For introduction and adoption) - Adopting the Property Tax Override (PTO) Ordinance
6. * Selection of methodology for determination of FY 2004-2005 Gann Appropriation Limit
7. * **RESOLUTION** - Establishing rules for the application of City employee compensation rates and schedules and related requirements, and establishing compensation rates and schedules - FY 2004-2005 Salary Resolution

Action Taken:

8. **RESOLUTION** - Approving submission of the Fiscal Year 2005 Annual Action Plan to the U.S. Department of Housing and Urban Development (HUD) for use of Community Development Block Grant (CDBG), Home Investment Partnerships (HOME), and Emergency Shelter Grant (ESG), and the American Dream Downpayment Initiative (ADDI) program funds and authorizing the City Manager to sign all implementing documents required by HUD - Planning and Development Dept.

Action Taken:

4:00 P.M. **HEARING to consider Plan Amendment No. A-03-12, Rezone Application No. R-03-60, Conditional Use Permit Application No. C-03-205, and environmental findings, filed by Palm and Herndon LLC., for 14 acres located east of the southeast corner of N. Palm and W. Herndon Avenue - (**Property located in District 2**) - Planning and Development Dept.**

Action Taken:

- a. Consider and adopt finding of Mitigated Negative Declaration for Environmental Assessment A-03-12/R03-60/C-03-205

Action Taken:

- b. **RESOLUTION** - Amending the 2025 Fresno General Plan and the Bullard Community Plan

Action Taken:

- c. **RESOLUTION** - Approving Conditional Use Permit Application No. C-03-205

Action Taken:

- d. **BILL** - Amending the Official Zone Map to rezone the property **from** the C-2/EA/UGM (*Community Shopping Center/Expressway Area Overlay/conditions of zoning*) and C-P/EA/cz (*Administrative and Professional Office/Expressway Area Overlay/conditions of zoning*) zone districts **to** the C-6/EA/cz (*Heavy Commercial/Expressway Area Overlay/conditions of zoning*) zone district

Action Taken:

SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED

4:15 P.M. HEARING to consider Plan Amendment No. A-03-22, Rezone Application No. R-03-69, Rezone Application No. R-03-84, and environmental findings, filed by Ingels-Braun on behalf of Sunnyside Ranch, pertaining to approximately 109 gross acres of land located on the east side of Clovis Avenue between the Union Pacific Railroad (California Avenue alignment) and to a point 350 feet south of the E. Church Avenue alignment (Property located in District 5) - Planning and Development Dept.

Action Taken:

- a. Consider and adopt finding of Mitigated Negative Declaration for Environmental Assessment A-03-22/R-03/69/R-03-84/T-5258/T-5295

Action Taken:

- b. **RESOLUTION** - Amending the 2025 Fresno General Plan and the Roosevelt Community Plan

Action Taken:

- c. **BILL** - Amending the Official Zone Map to rezone an approximately 70 net acre portion of the site **from** the AE-5 (*Exclusive Five Acre Agricultural*) and AE-5/UGM (*Exclusive Five Acre Agricultural/Urban Growth Management*) zone districts **to** the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district (related Vesting Tentative Tract Map No. 5258 proposes to subdivide the subject area into 258 single family residential lots)

Action Taken:

- d. **BILL** - Amending the Official Zone Map to rezone an approximately 26 net acre portion of the site **from** the AE-5 (*Exclusive Five Acre Agricultural*) and AE-5/UGM (*Exclusive Five Acre Agricultural/Urban Growth Management*) zone districts **to** the R-1 (*Single Family Residential*) and R-1/UGM (*Single Family Residential/Urban Growth Management*) zone districts (related Vesting Tentative Tract Map No. 5295 proposes to subdivide the subject area into 123 single family residential lots)

Action Taken:

2. GENERAL ADMINISTRATION

- A. * **RESOLUTION** - Approving the application for and acceptance of grant funds under the Transportation Equity Act for the 21st Century Re-authorization - Public Works Dept./Transportation Dept.

Action Taken:

1. **RESOLUTION** - Regarding AB 1012 "Timely Use of Funding" on TEA-21 Programs administered by the Council of Fresno County Governments (COG)

Action Taken:

- B. Authorize and approve the amended contract between the City of Fresno Police Department and current rotational tow operators; and - Police Dept.

Action Taken:

1. * **BILL** - (*For introduction*) - Amending Sections 6-1902, 6-1903, 6-1904, 6-1906, 6-1907 and 6-1909 of the Fresno Municipal Code relating to the Fresno Police Department rotation tow program

Action Taken:

3. CITY COUNCIL

4. **CLOSED SESSION**

- A. **CONFERENCE WITH LABOR NEGOTIATOR** - Government Code Section 54957.6
City Negotiator(s) Jon Ruiz, Adela Gonzalez, Renee Mayne, Bob LaSala
Employee organization(s) -

1. International Union of Operating Engineers, Stationary Engineers Local 39 (Local 39)
2. Fresno City Employees Association (FCEA)
3. Amalgamated Transit Union, Local 1027 (ATU)
4. International Brotherhood of Electrical Workers Local 100 (IBEW)
5. City of Fresno Professional Employees Association (CFPEA)
6. City of Fresno Management Employees Association (CFMEA)
7. Fresno Police Officers Association - Management (Police Management)

Action Taken:

4. **JOINT CLOSED SESSION WITH THE REDEVELOPMENT AGENCY**

- A. **CONFERENCE WITH LEGAL COUNSEL - FRIEND-OF-THE-COURT-PARTICIPATION** -
Government Code Section 54954.2, Subdivision (a)

1. **Case Name:** Harvey Bolts v. The City of Lake Forest and the Lake Forest
Redevelopment Agency

Action Taken:

4. **CLOSED SESSION ANNOUNCEMENTS (IF ANY)**

5. **PUBLIC COMMENT PERIOD - No Council action except to place on future agenda.**
Presentation limited to three (3) minutes.

- A. **SCHEDULED PUBLIC COMMENT** - Appearance by Gabe Zambrana to discuss allowing BMX riders to use Lyons skate park located at Marks Avenue

- B. **UNSCHEDULED COMMUNICATION** - Members of the public may address the Council regarding items that are not listed on the agenda and within the subject matter jurisdiction of the Council. Each person is limited to a three (3) minute presentation. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date.

SCHEDULED COUNCIL HEARINGS AND MATTERS

June 29 -	10:00 A.M.	HEARING re: CFD No. 2, Annexation No. 70, Final Tract Map 5096
June 29 -	10:30 A.M.	HEARING re: Plan Amendment No. A-03-21, Rezone Appl. No. R-03-83, filed by Granville Homes, property located at the northeast corner of Barstow and Grantland Avenues
June 29 -	10:45 AM#1	HEARING re: Rezone Appl. No. R-03-81, filed by R.W. Greenwood Associates, Inc.
June 29 -	10:45 AM#2	HEARING re: Rezone Appl. No. R-04-02, filed by Quad Knopf on behalf of DS Ventures
June 29 -	10:45 AM#3	HEARING re: Rezone Appl. No. R-03-65, filed by SummitHill Development

SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED

July	6 -	NO MEETING - COUNCIL VACATION	
July	13 -	NO MEETING - COUNCIL VACATION	
July	20 -	9:00 A.M.	Presentation of P.R.I.D.E. Team Certificates (<i>Reception immediately following - 2nd floor foyer</i>)
July	20 -	10:00 A.M.	HEARING re: CFD No. 2, Annexation No. 69, Final Tract Map 5281
July	20 -	10:05 A.M.	HEARING re: CFD No. 2, Annexation No. 71, Final Tract Map 5220
July	20 -	10:10 A.M.	HEARING re: CFD No. 2, Annexation No. 72, Final Tract Map 5260
July	20 -	10:15 A.M.	HEARING re: to consider the proposal annual assessments for Landscaping & Lighting Maintenance District (LLMD) No. 1
July	20 -	10:30 A.M.	HEARING re: Resolution of Intention to rescind Resolution No. 2002-146 and order the vacation of Main Street between "N" and "O" Streets, portions of "N" and "O" Streets between Tulare and Main Streets
July	20 -	10:45 A.M.	Adopt an amendment to the City of Fresno Deferred Compensation Plan document to modify the composition of the City of Fresno Deferred Compensation Committee based on results of a Council requested survey of plan participants - Retirement Offices
July	20 -	2:30 P.M.	HEARING re: the Consolidated Plan - Planning and Development Dept.
July	20 -	2:45 P.M.	JOINT MEETING WITH THE RDA - Adopt resolution approving the disposition and development of 1.69 acres of agency property located at 3834 and 3856 West Dwight Way
July	20 -	3:00 P.M.	WORKSHOP - Consideration of additional services to be provided by Community Facilities Districts in the City of Fresno - Public Works Dept.
July	27 -	10:00 A.M.	HEARING re: vacation of a portion of N. Van Ness Avenue between Herndon and Beechwood - R.I. No. 1035-D
July	27 -	10:15 A.M.	CONTINUED JOINT MEETING WITH RDA to approve Disposition and Development Agreement with Economic Opportunities Commission
July	27 -	TIME TO BE DETERMINED	WORKSHOP re: Power generators - Dept. of Public Utilities and Acting President Perea
July	27 -	TIME TO BE DETERMINED	WORKSHOP re: Water rights - Dept. Of Public Utilities
July	27 -	TIME TO BE DETERMINED	WORKSHOP re: ADA Advisory Council - Public Works Dept. (1 Hour)
Aug.	3 -	NO MEETING - COUNCIL VACATION	
Aug.	10 -	NO MEETING - COUNCIL VACATION	
Sept.	7 -	NO MEETING - COUNCIL VACATION	
Sept.	14 -	NO MEETING - COUNCIL VACATION	

FUTURE WORKSHOPS (*Dates to be determined*)

WORKSHOP re: Urban forest - Parks, Recreation and Community Services Dept. and Public Works Dept.

JOINT WORKSHOP regarding Caltrans and City Partnership - Public Works and Planning and Development Depts. - Council President Castillo

WORKSHOP re: Bike Advisory Committee - Public Works Dept.